

REMARKS

The application was filed with Claims 1-8. Claims 9-20 were previously presented by amendment, and Claims 1-8 were cancelled. In response to a restriction requirement, Claims 9-19 were elected. Claim 20 has been cancelled. In the pending Office Action, Claims 9-16 and 18-19 stand rejected under 35 USC §102 and Claim 17 stands rejected under 35 USC §103. These rejections are respectfully traversed. Withdrawal of the rejections and reconsideration of the claims is respectfully requested.

Rejection under 35 USC §102

Claims 9-16 and 18-19 stand rejected under 35 USC §102(b) as being anticipated by JP 56057542 (JP '542). This rejection is respectfully traversed. A certified translation of the '542 reference, also identified as application number S54-133297, was attached to Applicant's response mailed September 15, 2006.

It is well established that in order for a claim to be anticipated by a prior art reference, each and every element of the claim must be found in that reference. According to the English language abstract, JP '542 discloses a truck jointly using a winch for a steep slope, wherein the winch and traveling wheels are simultaneously turned when clutches are thrown in, and wherein the speed of the winding of the wire of the winch loaded on the truck and circumferential speed of the traveling wheels of the truck are tuned, and the winch and the traveling wheels are driven by means of the same prime mover. The relative difference of the speed of winding of the wire and the circumferential speed of the driving wheels is eliminated by means of a differential device, and both loads are equalized at all times. See also page 2, paragraph 2, of the translation. When only the wheels are driven separately, the differential gears are locked when a clutch is released,

and only the wheels are driven. See also page 6, first full paragraph, of the translation. When using only the winch under a stationary condition, the differential gears are locked when the clutch is released, and only the winch is driven. See also page 6, second full paragraph, of the translation.

JP '542 does not disclose the step of providing a central control system and a plurality of sensors for transmitting data to the central control system, as required by Claim 9, as amended. JP '542 further does not disclose the steps of said sensors detecting a speed of the driving chain, and of the cable. JP '542 further does not disclose the step of said central control system comparing the detected speed of the driving chain and the cable, nor the step of said central control system determining a desired value for the speed of the cable and controlling the cable winch to attain the desired value, all as required by Claim 9, as amended. Support for the amendment of Claim 9 can be found in paragraphs [0025]-[0027] of the specification, which disclose the control system of the invention.

JP '542 also clearly does not disclose the method including a step of detecting a pulling force in the cable and controlling the cable winch to maintain the pulling force below a specifiable highest value for the pulling force, as required by dependent Claim 14.

Further, JP '542 does not disclose the method wherein the speed of the cable is detected as a magnitude and a direction relative to a traveling direction of the snow-trail grooming vehicle.

Further, JP '542 clearly does not disclose the step of determining whether the driving chain of the snow-trail grooming vehicle is slipping, for determining the desired value for the speed of the cable

Because Claim 9 contains elements not found in JP '542, Claim 9 is not anticipated thereby. Withdrawal of the rejection, and reconsideration of Claim 9, is therefore respectfully requested.

Claims 10-18 depend from Claim 9, are believed allowable therewith, and include additional features which further distinguish over the above reference.

Claim 19 requires a method for controlling a cable winch of a snow-trail grooming vehicle, comprising the steps of detecting a traveling speed of the snow-trail grooming vehicle over a ground surface according to direction and absolute value, detecting a speed of a cable wound on the cable winch according to direction and absolute value, comparing the detected traveling speed and the detected cable speed and determining a desired value for the cable speed for controlling the cable winch.

JP '542 does not disclose the steps of detecting of the traveling speed of the vehicle over a ground surface according to direction and absolute value, detecting a speed of a cable wound on the cable winch according to direction and absolute value, comparing the detected traveling speed and detected cable speed, and determining a desired value for the cable speed for controlling the cable winch, all of which are required by Claim 19. Because these elements are not found in JP '542, Claim 19 is not anticipated thereby. Withdrawal of the rejection, and reconsideration of Claim 19, is respectfully requested.

Rejection under 35 USC §103

Claim 17 stands rejected under 35 USC §103(a) as being unpatentable over JP '542 in view of U.S. Patent 6 585 232 to Rechenmacher et al.

In order to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some

suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)

Claim 17 requires the method according to Claim 9, further comprising the step of determining an angle of slope between a traveling direction of the snow-trail grooming vehicle and the horizontal, and a direction of the speed of the cable relative to the traveling direction, for determining the desired value for the speed of the cable.

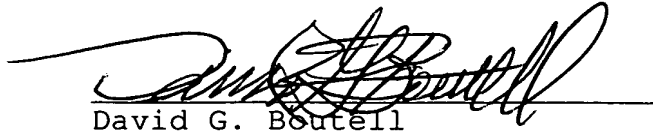
Neither JP '542 nor Rechenmacher et al. '232 disclose the step of determining an angle of slope between a traveling direction of the snow-trail grooming vehicle and the horizontal. Therefore, the combination of these references, even if tenable, does not teach or suggest all of the claim limitations. Accordingly, withdrawal of the rejection of Claim 17, and reconsideration, is respectfully requested.

Conclusion

In light of the foregoing, Claims 9-19 are believed to be in condition for allowance. Early Notice of Allowability is courteously solicited. If necessary to expedite prosecution

of the application, the Examiner is invited to contact
Applicant's representatives listed below.

Respectfully submitted,


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